

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SERVICE EMPLOYEES
INTERNATIONAL UNION, et al.,

No. C 09-00404 WHA

Plaintiffs,

v.

SAL ROSSELLI, et al.,

**ORDER REGARDING DEPOSITION
OF PHYLLIS WILLETT**


Defendants.

Weeks ago, defendant Phyllis Willett was ordered to appear for deposition concerning NUHW's assets, both sides agreeing that she would be the most knowledgeable about that subject. At the request of Attorney Dan Siegel (representing NUHW and the witness), the date of the deposition was postponed until today, October 7, at 9:00 a.m. Yesterday at 5:19 p.m., Attorney Dan Siegel sent an e-mail to counsel for plaintiffs stating, "We will not be appearing for the deposition tomorrow. Instead we will post the bond, which will automatically stay execution and make your discovery moot." Overnight, plaintiffs then made an application to the Court to compel the deposition, counsel having already traveled to San Francisco from Washington, D.C. to take the deposition. It is now 8:20 a.m. on October 7. If a proper bond is posted in the Clerk's office by 11:00 a.m. today then Ms. Willett need not appear for the deposition. Otherwise, she is

ordered to appear for the deposition at plaintiffs' office by 11:00 a.m. today and stay until at least 7:00 p.m., if requested by plaintiffs' counsel in order to make up for the lost time.

IT IS SO ORDERED.

Dated: October 7, 2010.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE